

The regular meeting of the Conway Planning Commission was held, in person, Monday, October 18<sup>th</sup> at Conway City Hall. The following members, being a quorum, were present and acting: Brandon Ruhl, Laura King, Arthur Ingram, Adam Bell, Larry Webb, Anne Tucker, Latisha Sanders-Jones, Drew Gainor, and Rhea Williams. Rebekah Fincher was absent.

Minutes from the September 20<sup>th</sup> meeting were approved 9-0 on a motion made by Anne Tucker and seconded by Arthur Ingram, with the chairman voting.

## **I. OLD BUSINESS- PUBLIC HEARING**

### **A. Request for conditional use permit to allow auto-related sales or service establishment in the CMU zoning district of the Markham Street Neighborhood Specific Plan for property located at 1061 Markham Street and 1056 Spencer Street**

James Walden, Planning Director, recapped that this item was reviewed by the Planning Commission at the September 2021 meeting and was requested to be tabled by the applicant until this month's meeting. The use for auto sales and services is not a permitted use by right in the C-MU zone but is allowed as a conditional use. Staff recommended approval of the conditional use, as conditioned:

1. Vehicle sales of any kind are prohibited. This includes, but is not limited to, automobiles, trucks, motorcycles, and all-terrain vehicles.
2. Sales shall be limited to OEM and after-market parts and may include on-site installation.
3. Storage, staging, and outdoor display of vehicles within parking or loading areas along Smith St and Spencer St shall be prohibited.
4. No tires, merchandise, or parts for sale shall be displayed outside.
5. All repair or installation work shall be conducted indoors.
6. Any equipment stored outside shall be screened from view from a public street or right-of-way.
7. Car shows and similar special events shall be prohibited.
8. Hours of operation shall be limited to 7 AM to 7 PM, Monday through Saturday. Outside of these hours operation of the site shall be closed to the public, but staff may operate inside with all exterior accesses closed to limit the trespass of noise.

Brandon Ruhl (5140 Barn Owl Cv) spoke in favor of the use and there was no public opposition to the request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the conditional use was made by Larry Webb and seconded by Rhea Williams; passed 8-0-1, with the chairman abstaining as he was the applicant for the project.

## **II. NEW PUBLIC HEARING ITEMS**

### **A. Request to rezone ± 16.71 acres located at the northwest corner of Dave Ward Drive and S Country Club Road from O-1 to MF-3**

Beth Sketoe, Planner, explained the applicant is requesting to rezone from O-1 to MF-3 for the purpose of constructing a high-density residential development. Planning staff felt the development of the property under MF-3 (Multi-Family Residential; maximum 24 units/acre) would represent a substantial increase in intensity and denied the request for that zoning; however, as an alternative to denial of the request, staff recommended approval of MF-2 (Multi-Family Residential; maximum 18 units/acre), as it would allow appropriate use of the property with density compatible to the surrounding area.

Megan Weckwerth and David White (240 Skyline Dr) with the Tyler Group spoke in favor of the rezoning. They stated the area is a good location for multi family due to already available access off a major arterial. They also stated their client would not agree to the downzone to MF-2 and insisted on the MF-3 zoning. Phil Dayer (3270 Nutters Chapel Rd) also spoke in favor stating the city is and has always been short on rentals for the public and the affordability of renting in the city has gone up.

Bryan Christian (2670 Apple Blossom Ln) and Seth Jeffrey (44 Cessna Ave, Greenbrier) with New Life Church spoke in opposition to the egress and ingress to the site as it would burden church members who tend to park along that access, overflow and guest parking will impede into the church's parking lot, and the possible security risk to the daycare on site. Adam Crawford (651 Diane Ln) spoke not in opposition to the zoning, but the density allowed by MF-3, as Diane Ln would be used for access to the site and that area is currently a quite neighborhood with little traffic. Bill Brown (775 Diane Ln) spoke in opposition claiming the homeowners on that street paid for the asphalt and this development would hinder that road, as well mentioning there are numerous car accidents at the intersection of Diane Ln and Dave Ward Dr already.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Anne Tucker and seconded by Arthur Ingram; failed 4-5, with the chairman voting in opposition along with Anne Tucker, Arthur Ingram, Drew Gainor, and Adam Bell.

**B. Request to rezone property located at 1320 E German Lane from R-1 to MF-1**

Beth described the applicant is requesting to rezone from R-1 to MF-1 for the purpose of low-density residential development. Moderate density residential development of the property would serve as an appropriate transition between the multi-family uses to the south and east and the single-family residential uses to the north which led planning staff to recommended approval of the rezoning request.

Terry Burruss (11912 Kanis Rd Ste F8 Little Rock) spoke in favor of the rezoning for his clients stating this development would consist of 11 two and three bedroom townhomes all with garages. Aretchia Moussa (15 Joshua Cr) spoke in favor of the property as well as the perspective property owner and landlord of the future townhome development.

There was no public opposition to the rezoning request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Rhea Williams and seconded by Larry Webb; passed 9-0, with the chairman voting.

**C. Request to rezone ± 48.52 acres located at 5690 & 5700 Tyler Street from A-1 to R-1**

Beth relayed the applicant is requesting to rezone from A-1 to R-1 for the purpose of developing a single-family residential development. The surrounding area is predominantly single-family residential and rural/undeveloped. As the rezoning would not likely result in harm to adjacent property, planning staff recommended approval of the rezoning request.

Bobby French (1021 Front St) with CAPS spoke in favor of the rezoning. There was no public opposition to the rezoning request.

The public hearing was closed and presented to the Commission for discussion to which a motion to approve the rezoning was made by Larry Webb and seconded by Drew Gainor; passed 9-0, with the chairman voting.

**III. SUBDIVISION REVIEW**

**A. Request for preliminary plat approval of Lands End Subdivision**

James explained the applicant is requesting preliminary approval of a 54-lot subdivision located west of the intersection of Tyler St and Padgett Rd. The development represents Phase 1 of Lands End Subdivision. Proposed lots range from 0.32 acres to 0.71 acres, with access provided via improvement of Tyler St and an extension of Whistling Straits from The Reserve at Centennial Phase II. No waivers were included as a part of this request. Planning Staff recommends approval of the preliminary plat contingent upon the completion of the amended punch list and associated conditions of approval:

1. Preliminary Plat approval from all reviewing agencies shall be obtained.

2. Wheelchair ramps shall be provided by the developer in accordance with the City of Conway's Standard Details.
3. A draft of any Bill of Assurance proposed for the subdivision generally describing proposed covenants, restrictions and conditions applicable to the property included in the submitted plat.
4. Fire hydrants must be placed so that the furthest point of a lot in a residential subdivision is not more than 600 feet from the hydrant located on the same street. Variances must be approved by the Planning Commission and Fire Chief.
5. Utility easements as required by Conway Corporation are needed.
6. Drainage easements as required by the City Engineer are needed.
7. All other applicable provisions of the City of Conway Subdivision Ordinance (O-00-03) shall be satisfied and account for prior to Preliminary Plat approval.
8. Receipt of an approved copy of the Preliminary Plat along with approved Street and Drainage Plans shall constitute authorization of the Planning Commission for the developer to proceed with the preparation of the Final Plat.

Bobby French again spoke in favor of the subdivision and was aware of the conditions and corrections proposed.

The subdivision review was closed and presented to the Commission for discussion to which they concluded to approve the preliminary plat. A motion to approve was made by Anne Tucker and seconded by Drew Gainor; passed 9-0, with the chairman voting.

#### **IV. ADDITIONAL BUSINESS**

##### **A. Planning Commission Membership for 2022-2026 Term**

James presented the vacancy of two Planning Commission seats for the 2022-2026 term. Commissioners formed a special committee for the purpose of interviewing nominees consisting of Anne Tucker, Rhea Williams, Latisha Sanders-Jones, Larry Webb, and Laura King. Interviews will need to be conducted after the deadline date of October 31<sup>st</sup> and the two nominees will need to be presented to the Planning Commission for final voting approval at the November 15<sup>th</sup> Planning Commission meeting. Commissioner Tucker will be setting up interview dates and times.

#### **ITEMS NOT REQUIRING PLANNING COMMISSION ACTION**

##### **A. Development Review Approvals**

1. Walk-On's Patio Addition, 955 S Amity Rd (SDR-0821-0100)

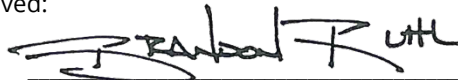
##### **B. Lot Splits, Lot Mergers, Minor Subdivisions, and Major Finals (submitted for review)**

1. Cimarron Park Lots 12 & 13 Merger (SUB-0821-0097)
2. Esmeralda Subdivision Replat (SUB-0921-0108)
3. Fidler's Survey Replat of Lot 269C (SUB-0921-0118)
4. All Secure Storage Replat (SUB-0921-0120)

#### **Adjournment**

There being no further business to conduct, the meeting was adjourned by unanimous vote on a motion made by Anne Tucker and seconded by Larry Webb.

Approved:



2021 Chairman, Brandon Ruhl